IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE THIRD DAY OF DECEMBER
TWO THOUSAND AND SEVEN
:PRESENT:
THE HON'BLE SRI JUSTICE A.GOPAL REDDY
AND
THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

TAKEN UP WRIT PETITION NO : 23827 of 2007

Between:

Rathina, W/o. Harigopal, MIli Colony,
Ramjinagar, Trichy-9, Tamilnadu State. **.....**
PETITIONER

AND

1 The Station House Officer, Cirty Crime Station, North Zone, Hyderabad.
2 The Station House Officer, Nacharam Police Station, Cyberabad, Hyderabad.
3 The Commissioner of Police, Hyderabad City at Hyderabad.
4 The Commissioner of Police, Cyberabad at Hyderabad.

.....RESPONDENTS

Taken up Petition under Article 226 of the constitution of India praying that in the circumstances stated in the "Telegram" dated 04.11.2007 sent by the petitioner herein, the High Court may be pleased to issue an order, direction or a Writ more particularly one in the nature of Writ of Habeas Corpus directing the respondents herein to produce the son of the Petitioner herein, namely Kumaran and Petitioner's sister's son namely Sathish, S/o Mohan, before this Hon'ble Court, who are taken into custody on 14.10.2007 by one Jayaram, Sub-Inspector of C.C.S., Secunderabad and other Police Personnel and illegally detained in Nacharam Police Station, Cyberabad, Hyderabad, apprehending danger to their lives and set them at liberty forthwith.

The petition coming on for hearing, upon perusing the "Telegram" dated 04.11.2007 sent by the petitioner, filed herein and upon hearing the arguments of Advocate General for the Respondents, the Court made the following;

ORDER :

"Telegram sent by the petitioner dated 04.11.2007 to the Honourable Chief Justice alleging that her son Kumaran, S/o Harigopal and her sister's son Sathish, S/o Mohan were taken into custody by policemen from Secunderabad while they are in search of job on

14.10.2007. It is further alleged that one Jayaram, Sub Inspector of Police, CCS, Secunderabad along with some other police personnel brought Sathish to their village and demanded Rs.2 lakh for which they refused to give. Hence, Sathish was taken back by the police and till date his whereabouts not known and they were illegally detained by the police.

While the writ petition is taken up for hearing, both the alleged detenues were appeared before this Court along with their parents through their Counsel Sri Srinivas Yadav and stated that they were not taken into custody by the police at any point of time as alleged in the telegram. The learned Advocate General also fairly conceded that no crime has been registered against the detenues and they were never taken into custody of the police. But the telegram issued by the petitioner discloses the name of the Sub Inspector as Jayaram, who visited Trichy, which is a remote village. There is no possibility for the petitioner to come to know the name of the said Sub Inspector, unless he visited her village. Therefore, the respondents/police are directed to file an appropriate affidavit in this behalf.

Post after two weeks."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1 The Station House Officer, Cirty Crime Station, North Zone, Hyderabad.
2 The Station House Officer, Nacharam Police Station, Cyberabad, Hyderabad.
3 The Commissioner of Police, Hyderabad City at Hyderabad.
4 The Commissioner of Police, Cyberabad at Hyderabad.
(SL.NOS.1 TO 4 BY RPAD)

5 Two CCs to the Advocate General, High Court Bldgs., Hyderabad.(OUT)
6 One spare copy.
7 One CC to Sri Srinivas Yadav, Advocate.(OPUC)

H.A.

DRAFTED BY : H.A.

DATED : 10.12.07

APPROVED BY :

HIGH COURT

AGRJ

&

NRRJ

DATED : 03.12.07

ORDER :

WP NO.23827/07

DIRECTION